

YOU CAN'T PUT A NUMBER ON IT

A report from young
adults on why in criminal
justice maturity is more
important than age



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www.t2a.org.uk

Howard League for Penal Reform is the oldest penal reform charity in the world. We campaign, lobby, publish research and through our legal team, represent children and young adults in custody. We work towards less crime, safer communities and fewer people in prison.

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FOREWORD

Young people do make mistakes, but this is no basis for them to be forgotten or not be given another chance.

Young people are a massive part of our society but can sometimes be misunderstood, ignored or overlooked. Participation holds the key to empowering our young people and keeping them involved with the developments of the future which will impact on their lives. Without participation this report would not have been possible.

Without participation I would not be the person I am today and it's showed me that, given the opportunity, any young person is capable of turning their lives around. Providing our young people with the opportunities to participate and lead projects will give them the skills and knowledge to become adults and make the right decisions. This is the key to a better future because our young people ARE THE FUTURE!!

Suleman Amad, 23



**“ I THINK
ADULTHOOD
BEGINS AT
DIFFERENT
AGES FOR
DIFFERENT
PEOPLE. ”**

ABOUT THIS REPORT

This participation report is based on the words, thoughts and experiences of 84 18-24 year-olds with experience of the criminal justice system from around the country. In 2014 they gave their ideas through group work, letters, meetings and individual conversations in both custody and the community. The report outlines their collected thoughts about how young adults experience the criminal justice process. Each section of the report also includes some direct quotes* from young adults, along with reflections from the legal team at the Howard League for Penal Reform which specialises in representing young adults in prison.

Young adults set the aims of the project, designed the questions, helped facilitate participation group work, responded to worksheets and were consulted throughout on the emerging themes. Thank you to each and every one of them for their hard work and dedication, and to the Barrow Cadbury Trust for funding this project as part of its Transition to Adulthood (T2A) programme.

The report was drafted by Jess Southgate, Youth Participation Officer. The legal view was provided by Laura Janes, Acting Legal Director at the Howard League for Penal Reform. The spotlight on young people and ethnicity was provided by Suleman Amad.

**All quotes are exactly as young adults spoke or wrote them.*

OUR AIMS

As young adults we wanted this report to:

- ✱ **Develop awareness among professionals working with young adults about our experiences, frustrations, thoughts and feelings**
- ✱ **Highlight the issues we face in the system and the impact this has on us**
- ✱ **Consider how the criminal justice system affects people growing and maturing**
- ✱ **Show how the transition from youth to adulthood affects us**
- ✱ **Show what support young adults want and what they are entitled to.**

**WHAT WE
THINK**



1

MATURITY IS COMPLICATED

The criminal justice system puts young adults' lives on pause, stalls our maturation and can prevent us from reaching adulthood. We feel that we get a raw deal – stuck in the middle of childhood and adulthood with no one to help us but without the facilities to help ourselves.

Maturity is about having responsibilities, like your own family and children, a job and making your own money. It is about independence, understanding yourself, making positive life choices, being able to handle difficult situations and accepting consequences. As young adults, our priorities change as we grow up and we approach things differently.

Everyone matures at a different rate and maturity has little to do with age or legal status. You cannot put a number on the age at which someone will mature and maturity cannot be forced. To reach adulthood we need good guidance, motivation, mental preparation and to be given responsibility so we can learn to manage it.

Growing up in deprivation, without a supportive family, in care or having experienced traumatic events in early life, mean some of us have had to grow up and mature and understand reality at a young age.

As a result of these challenging situations many of us have developed great strength and resilience. This strength is to our credit given the

life experiences we have faced, and is often in spite, not because, of the system.

We also know that because of the difficulties we have experienced we may have missed out on developing skills that are critical for our future. Where we are strong and resilient in some ways, we may be less mature in others.

We want the system to support us in developing the skills we might lack, particularly interpersonal and practical life skills, without treating us like 'kids'. Being treated like a child makes it harder to behave like an adult. Many of us feel far more mature than professionals give us credit for. We feel belittled and talked down to by the whole system, which makes it hard for us to feel positive about engaging with the process.

We want the system, and those who are helping us, to recognise the extent to which we feel infantilised and the deep sense of unfairness we feel at petty displays of power. For some of us, it has only been through working with the Howard League that we have felt truly listened to or empowered.

Our resilience is not positively tapped into and this fuels our resistance against the system. Our coping mechanisms can be misinterpreted as a lack of willingness to engage, but our lack of engagement can be because we have not yet found anyone who can help us that we trust.



We want the maturity we have developed to be acknowledged and respected, and for professionals to work to our strengths, by valuing our existing capacity, skills, knowledge and potential



We want opportunities to be given responsibility so we can grow and develop as young adults, including when we are in custody



We need help to develop life skills, particularly interpersonal and practical life skills, so we can find ourselves in the world and take the next steps in our lives



We think that the criminal justice system should take a distinct approach to young adults that recognises our development and varying levels of maturity, an approach that is different from both the youth system and the one for older adults.

"I THINK ADULthood BEGINS AT DIFFERENT AGES FOR DIFFERENT PEOPLE. SOME PEOPLE HAVE NO CHOICE BUT TO BECOME ADULTS FROM A YOUNG AGE. BUT SOME PEOPLE DON'T BECOME ADULTS UNTIL THEIR MID-20S."

"Mentally in depth I'd matured more than my friends because I've experienced things I can't explain."

YOUNG PEOPLE'S WORDS

"MATURITY SHOULD BE SPLIT UP IN SECTIONS – LIFE SKILLS WHERE YOU'RE INDEPENDENT AND OTHERS WHERE YOU'RE NOT. SO YOU COULD BE MATURE WITH FAMILY AND FRIENDS BUT IMMATURE WHEN IT COMES TO THINGS LIKE JOBS AND HOUSING. YOU COULD BE MATURE IN HERE [PRISON] BUT IMMATURE ON THE OUT."

"[T]here should be an awareness that just because people are 18+ adults, what does that number mean? It's a period where a lot of people meet a lot of difficulty. You're still learning and getting used to things like bills and the legal system, there's so much paperwork. People haven't got a clue what's going on. It's near impossible."



A view from the Howard League legal team on young adults' maturity

Professionals need to relate to young adults as individuals. Rating a young person's maturity is a complex and difficult task. It should only be done when relevant and necessary. Passing comments that a young person is 'immature' can be incredibly damaging, just as failing to take account of a young person's stage of development can lead to inappropriate decisions.

Professionals should consider the resilience the young person may have developed through adversity, whether that is problems at home or coping with the stress of going to court or being locked up. Professionals should also recognise that many young people who have developed resilience or coping mechanisms may feel that they have no choice but to manage alone.

Professionals working with young adults need to be alive to the different ways that maturity is present in young adults in the criminal justice system. Professionals should always ask themselves what the young adult's strengths are and how they can build on them. This helps to achieve better results and better relationships and more honest reflections.

Not receiving the right kind of professional support *and respect* can lead to young adults feeling infantilised and not effectively engaging with the criminal justice process. This can increase the risk of not complying with requirements or reoffending.

2

MISTAKES AND LABELS

FOLLOW US: THE 'PAPER SELF'

As young adults in the criminal justice system, we feel labelled, stigmatised and judged by professionals, the media and society. To break the cycle of offending we want to be able to move on from troubles in our past but the system makes us feel that we cannot escape them.

Being constantly talked about and analysed has a considerable psychological impact on us. It can feel as though our life experiences or vulnerabilities are used against us and blown out of proportion. It seems our best is never good enough or that our progress and resilience is not recognised or rewarded, and we feel held back and disheartened by this.

Professionals do not talk to us about their assessments of us or ask us for our views, for example in pre-sentence reports, sentencing remarks, police records, Thinking Skills Programme (TSP) reports, hostel records or on our Offenders Assessments in prison (OASys). Information that we do not agree with often ends up on our records and we do not know how to challenge this. We do not think there are enough ways for us to challenge the system when things go wrong.

What is written about us can feel like it takes over our identity and becomes all people see about us. It can seem that professionals are more interested in what happened in our past and what is written about us on paper than who we are in the present. We can struggle to show that we are more than just what is written about us, but this 'paper self' can take over our identity and feel like it is stapled to us.

Our ability to progress on our sentences can be held back by requirements on us to complete courses on the basis of risk assessments we do not feel are accurate. These can feel like tick box exercises, rather than a real opportunity for us to learn and change. Most of us do not feel that we get the real help we need or want.

Knowing that we have a criminal record and the negative views society has of us can damage our self-esteem and mean we give up hope. Reports about our cases in the press, some of which give extensive or inaccurate information about us, further damage our chances of moving on.



We want professionals to discuss with us what they write in reports that are likely to affect our lives, as well as the opportunity to challenge and change inaccurate or misleading information



We need more responsible journalism and for the media to recognise the impact that being reported on in the press can have on a young person's life



We want society not to judge us by our background, and we want more opportunities, particularly through employment, to be able to move on from our past.

"IT'S LIKE THE SYSTEM IS SAYING 'GROW UP AND BE AN ADULT BUT WE'LL CONSTANTLY TELL YOU ABOUT THIS CHILD YOU WERE'. IT'S A SHAMING PROCESS."

"My documents always came before me, so an opinion was already formed, based on the papers...social services would try and catch you out on things they'd read on the papers."

"I DON'T THINK YOU APPRECIATE THE IMPACT OF WHAT YOU DEEM MINOR. I DON'T THINK YOU REALISE THE EFFECT THAT IT HAS ON MY LIFE...EVERYTHING GETS TAKEN OUT OF PROPORTION WHEN YOU'RE A PRISONER."

"DO YOU KNOW HOW HARD IT IS TO HEAR PEOPLE SAYING STUFF LIKE THAT AND TO HAVE TO SIT THERE AND TAKE IT WHEN PROFESSIONALS SAY BAD THINGS OR STUFF THAT AIN'T TRUE."

"[it's an] identity that's stapled to your person, no matter how much positivity you're doing; it can really affect you."

"I HAVE CHANGED AND GROWN UP. BACK THEN I WASN'T [MATURE] BUT THEY STILL EXPECT ME TO BE A CERTAIN WAY. I'M NOT THE SAME WAY."



A view from the Howard League legal team on the 'paper self'

Professionals need to think about how they would feel to receive written information about all aspects of their lives, including intimate aspects, when writing and sharing information about young people.

Once considered from this perspective, a young person's indignance about incorrect information becomes completely understandable. It is critical to ensure that information is accurate, in context and up to date. The best way to do this is to make sure

that the young person is involved in the information gathering.

Repetition of inaccurate information by professionals becomes part of a young adult's paper self. There can be significant long term damage done to a young person when their sense of identity becomes subsumed by this.

Because adolescence is a time of great change there is a huge risk that professionals will assign characteristics that are typical at a certain age that remain on paper long after the young person has grown out of the issue.

Professionals should encourage and support young people to correct and challenge paperwork about themselves in a way that takes into account how distressing unjustified written labels can be.

3

SUPPORT, INFORMATION AND BEING INVOLVED

When we reach 18 a lot of the support we received as children disappears at the same time as our responsibilities as adults increase. While nothing much may have changed for us, the whole system around us feels completely different. We may experience a number of transitions including the care system, health and social care, YOT to probation, custody and the courts, and we see a big change in the kind of support we receive from all of them.

This drop in support can be a big shock, particularly if we were used to the youth system, and can cause us a lot of problems. Sometimes it feels as if services give up on us when we reach 18 because we should have changed when we were younger.

We think support should be available for us longer than it is, but we want this support to be appropriate for us as young adults, not just a continuation of youth services. Not feeling that anyone cares about us compounds existing feelings of rejection and neglect, making it harder for us to care for others, a key part of reaching adulthood. Positive and encouraging

professionals who persevere, believe in us, go above and beyond and understand that change can take time make a huge difference in our lives.

The criminal justice system is confusing. Many of us do not understand the implications of decisions made about us, our sentence, what happened in court, how to appeal, our eligibility for Home Detention Curfew (HDC) and Release on Temporary Licence (ROTL), what an OASys report is or how recall works. The system is not explained to us and often what we learn is through other young adults, which may not be right for us. We know we have rights and entitlements but are often unaware of what they are.

We do not feel that we can get our point across to professionals in the system, or that it makes a difference when we try to. Sometimes it feels as if we only get support when we have professionals advocating for us, if we are high risk or causing trouble. This can promote bad behaviour as a way of trying to get help which can further increase our problems in future.

- ✱ **We need to work with professionals who want to work with young adults, who respect us, see us as individuals and are understanding**
- ✱ **We want consistent professional support to help us navigate the criminal justice system, the law, transitions between services and to help us develop skills for life**
- ✱ **We want to be involved in decisions made about us and our futures and for our voices to be heard throughout the criminal justice system**
- ✱ **We want to see what is written about us, and have a chance to comment and change things we disagree with or which are not accurate.**

"WHEN YOU REACH 18–20 THE GOVERNMENT DON'T CARE NO MORE – THERE IS NO MORE HELP ANYMORE... THEY'RE LABELLING YOU AS A WASTE MAN AND CUTTING YOU OFF."

"I'm going through issues at the min and I'm not getting nowhere, but as soon as they know you have professionals backing you that's when they listen. You need to know your stuff and how to word it so they take notice"

YOUNG PEOPLE'S WORDS

"IN THIS SYSTEM PEOPLE DON'T LISTEN TO YOUNG ADULTS – BECAUSE YOU'RE A CRIMINAL, YOU'RE A LESSER BEING."

"I'VE HAD ABOUT 10 SOCIAL WORKERS AND ALL YOU NEED IS ONE GOOD ONE."

"JUST BECAUSE I'M NOT KICKING UP A FUSS DOESN'T MEAN I DON'T NEED HELP."



A view from the Howard League legal team on support for young adults

The law is slowly changing to take into account the specific needs of young adults. This is reflected by the changes to the Children Act which create duties on local authorities to provide support to young adults. Yet, as most of this support is deemed discretionary, practices, policies and procedures are still not sufficiently geared up to helping young adults. Young adults often do not know that they are entitled to this help and therefore do not think to seek independent advice about getting more help from social services. Professionals need to be alive to the possibility that young adults might be entitled to help and ensure they receive the right advice.

Even where local authorities agree in principle to support young adults, there is often little recognition of their need for consistent professional relationships with people who understand their specific needs.

Many young adults have had negative experiences of professionals and have not been given the right

support, which can build a resistance to working with them. Professionals need specific young adult training to be able to work with this age group. Budget cuts across the system and services are posing limitations on support, which are having a severe knock on effect on the young people professionals work with. Instead of the Children Act being interpreted generously and in the spirit in which it was written, workers are often under pressure to interpret it as narrowly as possible to save costs.

Transitioning between services and within the criminal justice system at 18 can be difficult, traumatic, produce considerable anxiety and result in a considerable drop off in support. A poorly planned transition can have negative consequences as some young adults struggle to adapt to the adult system. Sufficient time needs to be built in to ease this transition. For young people who become adults in custody, this is a particularly difficult time. Even though the Howard League Children Act case in 2002 made it very clear that the protections of the Children Act must continue to apply where possible, care leavers in prison are all too often forgotten about.

Some young adults are not entitled to leaving care support from children's services. If their local authority does not agree to treat vulnerable young adults as care leavers, they may be entitled to support from adult social services. Professionals should be aware of all the different streams of support that may be available to help young adults.

OUR EXPERIENCES OF DIFFERENT STAGES OF THE CRIMINAL JUSTICE PROCESS



POLICE

Most young adults in the criminal justice system have had overwhelmingly negative experiences of the police over a long period of time, often from a young age. Many of us have felt victimised, harassed, badly treated and ethnically profiled.

We do not feel we are treated the same as other young people who have not been in conflict with the law. When we are known to the police, we feel they continue to watch us, target us, provoke us and try to pin offences on us, whether or not we are involved. Existing anger and frustration with the police can escalate with each new encounter with them.

When we are on licence any contact we have with the police, even if we are innocent, can result in us being recalled to custody. It can feel as though the police and probation collaborate against us.

These experiences can feel very personal and leave us with a deep sense of injustice. This can feel as though the police are abusing their power, are not independently evaluated and that complaints go nowhere. We do not think the police give us a second chance.

We do not feel that the police are there to protect us. If we are a victim of crime, either in the community or custody, we do not feel our reports are taken seriously or investigated properly.

- ✱ **We want the police to treat us fairly and equally, talk to us with respect and recognise when we change positively as we grow up**
- ✱ **We want the police to try and get to the bottom of an incident without escalating the situation or being confrontational**
- ✱ **We want our complaints to be taken seriously and our allegations properly investigated when we are victims of crime ourselves, particularly in custody**
- ✱ **We want young adult appropriate information in the police station about our legal rights.**

"I'VE HAD LOADS OF BAD EXPERIENCES [WITH THE POLICE]. IT'S NORMAL"

"As soon as you've been in the police station, they'll remind you. They don't give you a second chance."

"I saw an officer the other day and he said 'I haven't seen you in two years – let me quickly search you'."

“ YOUNG PEOPLE'S WORDS ”

"HE WAS DOING SOMETHING TO MAKE ME GO BEYOND MY LIMITS SO I WOULD DO SOMETHING SO HE COULD ARREST ME."

"THEY NEED TO RECOGNISE IT'S SCARY TO BE ARRESTED. THEY SHOULDN'T ASSUME SOMEONE IS A TROUBLEMAKER."



A view from the Howard League legal team on the policing of young adults

Many young adults we work with have early negative memories of contact with the police, sometimes amounting to police harassment. They feel that the police will try one approach after another to catch and convict them. Many young people we work with feel judged by the police, especially those convicted of sexual offences. Those with a long history of police contact feel that the police are not open to the idea that the young person might have changed and matured over time.

Relationships between young adults and the police and probation, both individually and through Multi Agency Public Protection Arrangements (MAPPA), often lack transparency or accountability. Young adults often feel powerless to challenge assumptions and information, which may have been taken out of context, and used detrimentally without any opportunity for the young person to challenge or correct them. This may contribute to young adults' sense of injustice and powerlessness when dealing with the police.

Young adults have little faith in the complaints system. Young adults who have had negative experiences with the police are unlikely to report crime when they are victims of it. Young adults who are victims of crime in prison are particularly reluctant to report it and may require assistance from professionals to do so. Young adults who are put on police bail for extended periods can experience considerable stress, problems and disruption to their lives as a result.

LEGAL REPRESENTATION

AND GOING TO COURT





Many young adults have had experience of poor quality, conflicting or confusing legal advice and representation. Sometimes we feel that our legal representatives do not want to help us, do not explain the process to us, or are actually conspiring against us, particularly with the police.

When we are arrested we often choose the duty solicitor or choose to have no legal representation at all because we feel rushed, want the process to end quickly or do not know we can choose who we want to represent us. No one properly informs us about our options or advises us about the possible impact of our choices. Many of us find we are unhappy with the long-term outcome of the choices we make regarding legal representation and we later regret our rushed decision.

Our experience of poor quality or inappropriate legal advice can result in us pleading to charges we do not agree with or receiving harsher sentences than we had expected. We can feel abandoned after the court process, not properly advised about whether we can appeal, or not supported if we choose to try.

Being in court is a scary, confusing and isolating experience. It can be difficult to know what is happening and why. The court process can take a long time and have a significant and stressful impact on our lives, especially if we have a long way to travel to go to court or are waiting on remand for a long time. How we are spoken about in court by the judge and prosecution, and how the media reports our case, can have a huge impact on our sense of identity and how we see ourselves.

We often feel our personal circumstances are not properly taken into account in court or that the reasons behind our offending are not properly uncovered. We do not feel that there is a chance to get our point across and sometimes give up on wanting to properly represent ourselves or fight a case because we think the system is against us anyway.

-  **We want good quality, young-adult appropriate legal advice from representatives who want to work with us and want the best for us**
-  **We want our options for legal advice fully and impartially explained to us when we are arrested at the police station**
-  **We want more support to understand the legal process, especially what is happening when we are in court**
-  **We want to be shown our pre-sentence report and have a chance to challenge information we disagree with.**

"WHEN YOU WENT THROUGH COURT — HALF THE TIME YOU DON'T KNOW WHAT THE HELL'S GOING ON."

"No one is trying to make [the legal process] clear to you. If I didn't get it I wouldn't have said I didn't. You don't want to look stupid and you're so disoriented, you just want to get it over and done with."

“YOUNG PEOPLE'S WORDS”

"WHEN YOU'RE YOUNG YOU'RE STILL DEVELOPING YOUR IDENTITY AND YOU CAN GET REALLY LOST IN HOW THEY'RE TALKING ABOUT YOU...YOU DISASSOCIATE FROM YOURSELF. YOU STOP CARING ABOUT THE COURT PROCEEDINGS."

'My solicitor didn't even try... They told me I couldn't appeal. The solicitor advised me to go guilty...I didn't want to go guilty but they told me that if I went guilty I would get 1 year. I got 4 years.'

"My solicitor made me feel like he wasn't helping me, he was helping the police...He told me to admit to something I didn't do... I thought 'fuck it, I'll do what he says because of my daughter'."



A view from the Howard League legal team on young adults' legal representation

Young adults have very low expectations of the legal process and often assume poor outcomes are inevitable. Practitioners involved in young adults' legal cases need to ask the right questions throughout as young people rarely know how to raise issues that might be relevant to their case.

Many young adults have experienced poor quality legal representation and simply see their solicitors as another professional in a suit. Even where legal advice has been good, young adults are often unclear about the process, the role of the solicitor or why they had a particular outcome.

Young adults are rarely careful about who they instruct and often do not know they can instruct a different solicitor from the one they received in the police station. Howard League solicitors take extra time to explain legal processes in clear language and to make clear they are an additional service which the young person can opt out of. Young people are often surprised by this even though this should be the norm.

Young adults who have been in the system for some time can suffer 'court fatigue'. Some may start to disassociate from their offences, particularly those offences committed as children. Professionals should be alive to the potential benefits of a court intermediary to help young adults meaningfully participate in the process.

SENTENCING

Being sentenced can be a shocking and bewildering experience. We often do not understand our sentence, either when it is given to us or afterwards. Often we cannot fully consider what has happened in court until afterwards when we look back or talk to other people. Even then we rarely get support to deal with the shock or understand what our sentence means for us.





The judges' sentencing remarks can seem extremely harsh and not relevant to our lives. These are the kinds of comments that can have an extremely negative impact on how we feel about ourselves, are used against us in the media and which can have long-term effect on our progress, for example when referred back to at parole hearings.

It can feel as though sentences vary significantly between young adults, with decisions influenced by where we are from and variations between judges. These differences feel extremely unfair.

There is a noticeable difference between the sentences we receive under and over 18. Sometimes it seems the police and courts deliberately wait for us to turn 18 or 21 so they can sentence us more harshly.

Prison has a huge impact on us growing up at this stage in our lives. It can stall our development and stop us reaching adulthood. If we are parents, custody has a huge impact on not only our lives but our children's lives as they grow up. We think judges should take this into consideration when they sentence us and consider other options.

We want more sentencing options that do not involve custody and that give us a space to change, a chance to work with professionals we trust and a system that is flexible to our own development that recognises our progress.

-  **We want young adults to be sentenced by maturity and level of understanding rather than numerical age**
-  **We want sentencers to take account of the impact of sending a young adult to custody and consider community-based options more often**
-  **We want parental or caring responsibilities for young men and women to be taken into account when young adults are sentenced**
-  **We want help to understand our sentence, including regular sentence planning meetings and advice on how we can progress.**

"SOME 21 YEAR OLDS DON'T UNDERSTAND ANYTHING. WHEN I WAS SENTENCED [THERE WERE] ALL THESE LEGAL TERMS I DIDN'T KNOW."

"When you get to prison that's when you open the books, you compare with the next man you think 'I got unlucky'."

"Remind the judge that, as young adults, sending us to jail for long periods of time doesn't always help"

“YOUNG PEOPLE'S WORDS”

"THE MORE I WAS SAYING, THE LESS I FELT I WAS BEING HEARD [BY THE JUDGE]. I WAS TALKED TO LIKE THE DEVIL DURING THE SUMMING UP, HAVING BEEN SMILES THROUGHOUT."



A view from the Howard League legal team on sentencing young adults

Very little can prepare young adults for the shock of being sentenced. Many young adults and professionals around them misunderstand their sentence, including how it operates. The absence of understanding is even more profound for those young adults who were sentenced as children. Most of the people involved in the sentencing process are focused on that as the 'end point' of their involvement, yet it is often a crucial beginning for the young person. It is hard for a young person to achieve the key aim of their sentence, characterised by Baroness Hale as "to promote the process of maturation, the development of a sense of responsibility, and the growth of a healthy adult personality and identity" if they do not understand the sentence.

Understanding the sentence and having a clear sentence plan also affects liberty. Most young people will need to demonstrate progress and risk reduction to achieve discretionary early release, so it is vital that the sentence is correct and properly understood. Equally, where there is no possibility of discretionary early release, most young adults will be liable to recall following release and will have to demonstrate risk reduction to be released again.

Many young adults find it difficult to progress with their sentence if they feel it is fundamentally unfair. The inconsistencies in sentence lengths for apparently similar offences are difficult for many young people to understand. Many young people are wrongly advised not to appeal their sentences to the Court of Appeal because they could get longer. Any young adult receiving a custodial sentence should get a written advice on appeal. This is covered by the legal aid fee for the original criminal case. We receive many calls from young adults who have not received an advice on appealing their sentence. Professionals should encourage young adults who are unhappy with their sentence to get a formal advice.

IMPRISONMENT

Prison is at best limiting and at worst mentally and emotionally damaging. Most of us leave custody at the same stage we went in, if not less mature than we were before. Few young adults feel we get help for the underlying issues that caused us to offend which can make it impossible for us to turn our lives around after we leave custody.

The world is changing around us but we are not equipped to cope with this when we leave. We miss out on important life experiences we would have had on the outside including making 'real' friends and relationships, family time, getting a job or living independently.

We do not feel we are treated properly in custody, or that we are being helped to mature or grow into responsible adults. We are frustrated and in some prisons it feels like all we do is sit and stare at the walls all day. This frustration can build up and explode when we are finally let out of our cells, which can make prison an extremely violent place.

We learn different skills to young adults in the community, many of which are not healthy and do not promote desistance, and we do things we would not do normally, trying to fit in and survive. How we learn to interact with people in custody is different from what is expected

of us in the community. Prison takes away responsibilities and prevents us from making decisions which consider other people.

We see many young adults in custody with mental health issues who we do not think should be there. The prison environment can lead to self-harm and suicidal thoughts for some young adults. There is little support for those of us who feel this way, those who support others in this situation or those who witness self-harm or suicide attempts.

We feel belittled on a daily basis. Most officers do not help us and it can feel like we have to fill in an application just to talk to someone. We want officers to show us respect, not just demand it and we think that the Incentives and Earned Privileges (IEP) system is overused.

We feel that even when we try our best our progress is not recognised or rewarded. Getting appointments with resettlement or the Offender Management Unit (OMU) is very difficult and things take too long to happen. If opportunities like HDC or ROTL do not feel like genuine possibilities for us we have nothing to work towards and we lose motivation. For those of us on longer sentences, it can feel that we are overlooked until the very end of our time in prison and by that point most of us no longer feel motivated to engage.

- ✱ **We need our differing levels of maturity to be recognised by the prison system – if prisons remain structured around age, at the very least we need more support when we move between under-18, 18–21 and adult prisons.**
- ✱ **We want to be treated the same as each other, for officers to stay consistent and for the IEP system to be used more fairly**
- ✱ **We want good quality training and education for everyone in custody to help us get work, particularly schemes which guarantee us training or employment when we leave, and advice on self-employment and business development**
- ✱ **We want help from the beginning of our time in custody to move towards release, whether our sentence is long or short, including more opportunities for ROTL and more contact with OMU and resettlement workers**
- ✱ **We want support to build and maintain relationships with our families and support networks outside prison, including better use of family days.**

"IT'S A DIFFERENT MENTALITY IN PRISON. MATURING IN PRISON ISN'T THE SAME AS THE OUTSIDE."

"Prison stops the chance of experiencing things that an individual age group are experiencing so we enter adulthood in different places and mature into different things."

"You work hard, stick to the rules and then they don't give you what you're entitled to."

"It's a different mentality in prison. Maturing in prison isn't the same as the outside."

YOUNG PEOPLE'S WORDS

"It's past punishment now – it's more damaging than punishing. It's prevented me from turning into the person I want. It's preventing me from turning into what they want me to be. Lack of motivation – you don't see it going nowhere."

"OUTSIDE OF PRISON YOU HAVE FRIENDS, YOU SOCIALISE, YOU GET ON WITH OTHERS, YOU MEET NEW PEOPLE. IT'S IMPOSSIBLE IN PRISON. YOU COME OUT AT THE SAME STAGE YOU GO IN. LIFE IS ON PAUSE."



A view from the Howard League legal team on young adults' experiences in custody

Howard League lawyers regularly speak to young adults in custody who are struggling to survive within the prison system. At a critical time when young adults should be developing their personalities and identities, they are instead focused on getting through each day, navigating rigid prison structures and distorted social interactions. In any other setting these experiences would be described as at best surreal and at worst abusive.

It is essential that professionals working with young adults in prison factor in the context in which they are living.

Despite the distinct needs of young adults, there is no specific training for professionals working with them. A well-trained full capacity workforce is essential to create a better environment where young adults' needs can be met and pro-social

relationships modelled by professionals. Prison staff need training in how to work with young adults as part of violence reduction strategies and to recognise their specific needs.

Many of the underlying needs of young adults become subsumed by the prison disciplinary system which tends to brush aside the individual's problems or difficulties, focusing on adversarial fact finding and punishment. For instance, a young adult involved in a disciplinary hearing for fighting may be subjected to bullying and violence himself. The guilty finding and punishment which can include additional days in prison and solitary confinement does nothing to deal with the original problem. Young adults are entitled to legal advice and sometimes representation at these hearings and should be encouraged to take it.

Even though legal aid was removed in 2013 for all prisoners requiring help with problems in progressing through their sentence, many of the problems that young adults face, including lack of proper sentence planning, categorisation and access to the outside world, remain open to challenge, initially through the complaints system, although most young adults will need help with this.

MOVING ON

When we leave the criminal justice system we want to be able to make the right choices, support ourselves and our families, and develop positive relationships and the skills we are lacking. The system may give you the realisation that you want to change your life but not the tools for how to make that change.

Young adults in the criminal justice system feel deflated and demotivated. Some of us feel past the point of caring about our futures because we feel so disempowered by the system and unable to make positive changes in our lives. The less support we feel we receive, the less we are talked to, the more angry and unhappy we feel and the more we give up.





The move from prison to the community, adjusting to life on licence, and getting used to the drop in support when transferred from Youth Offending Services (YOS) to adult probation, is difficult. Transitioning from a strict regime in prison to no regime whatsoever can be hard to cope with, as can adjusting to new expectations of us and ways of communicating with people now we are in the community.

Feeling like we have missed out on time and experiences that other young adults have had can lead to us trying to play 'catch up'. This can lead to risky behaviour including doing things which may draw us back into the system.

We want probation officers who are approachable, supportive, want to work with us and who are not just concerned with recall. Getting a good probation officer feels like luck of the draw, but when we do get one it makes all the difference.

We want more practical help from probation to find and move into opportunities and services that will help us, not just signposting on to other agencies. Many of the things we are expected to do, like dealing with housing and the job centre, are totally new to us and no one has ever shown us how to manage them.

It can be hard to change when everyone around you is involved in a life of crime. It is important that we can get work that pays as a viable alternative to crime. Unsuitable accommodation, particularly hostels, and not being able to move area can make these problems harder. Going back to stay with our families is not always possible now we are older.

-  **We want probation officers who support us, listen to us and are friendly**
-  **We want probation officers to explain things to us, discuss their assessments of us with us, and who can use their discretion to consider people and actions on an individual basis**
-  **We want more practical support, particularly negotiating adult services, and a path to help us move into employment, despite having a record**
-  **We want young-adult appropriate and gender-sensitive accommodation options available to us when we are trying to resettlement and move on with our lives.**

"THEY COULD DO A LOT MORE, EVEN TALK MORE, HELP MORE, HELP WITH CERTAIN THINGS, SHE SAID 'DO IT YOURSELF'."

"They need to work with us. I've done f**k all for over a year [in prison] and then they will want me to do everything when I'm out and if I miss one session – recall."

"HOW OTHER PEOPLE TREAT YOU IN [PRISON] AND ON THE OUT WILL BE DIFFERENT, YOU NEED TO LEARN HOW TO DEAL WITH THAT."

YOUNG PEOPLE'S WORDS

"The thing I found hard [when I came out last time] was things like job centre and housing because it was all new. I knew in my mind how important it was but it was hard to do because nobody had shown me."

"MY OMU WORKER IS SHIT. I'VE BEEN IN HERE FOR 2 AND A HALF YEARS AND THEY'VE NOT DONE A SENTENCE PLAN. I'VE GOT 8 WEEKS LEFT."



A view from the Howard League legal team on young adults moving on

For many of the young adults we work with, leaving prison is terrifying. While the legal requirements for children leaving prison are very clear, young adults routinely find that their local authorities say they cannot or will not help them. As a result, many young adults do not know anything about their resettlement plans until just before release or are released without anywhere to live.

Young adults should be provided with specialist legal advice about their options for accommodation and support following custody early in their sentence. Young adults should be assisted in making full use of the systems in place, such as release on temporary licence and discretionary early release. Many will need assistance in navigating these processes and challenging adverse decisions. The sooner planning starts, the greater the chance of creating a positive transition from prison to the community.

Justice services sometimes only get involved in the resettlement plans for young adults at a late stage when risk related issues are raised. Howard League lawyers have often found that resettlement plans have been effectively vetoed following a MAPPA meeting which the young person has not been able to contribute to in any way. Professionals need to be aware of the need for issues of risk to be addressed head on at an early stage so the young adult can respond to areas of concern.



SPOTLIGHT ON YOUNG WOMEN IN CUSTODY

Young women in the criminal justice system have different needs and experiences to both young men and older women. We are still growing and need more support and guidance than older women, and we think we mature and grow differently to young men.

Some of the main issues affecting young women in the community include: gangs, violence and domestic violence, pressure to lose our virginity, teenage pregnancy and young motherhood, confidence and self-esteem, peer pressure and a lack of positive role models.

Being a young adult woman in an adult prison where there are very few other young adult women can be isolating and there is little specific support for our age group. There is little gender specific support which addresses the reasons behind why young adult women are in custody.

Some of us have been in mixed accommodation with older men where we have felt vulnerable and have had to survive by seeking protection from men. We can feel uncomfortable around male professionals, particularly police and prison officers.

As well as the other recommendations in this report, as young women in the criminal justice system:

- ✱ We want help to develop our confidence and self-esteem
- ✱ We want stability in our lives, which many of us have not had before
- ✱ We want space to talk about our feelings and how things affect us
- ✱ We want support for everyone who is affected by self-harm and when someone dies in prison.

“YOUNG PEOPLE’S WORDS”

“To ask for help of any kind I’d be more inclined to ask a woman than a man.”

“AS A YOUNG WOMAN [IN AN ADULT PRISON] YOU SEE A LOT YOU HAVEN’T BEEN EXPOSED TO.”

“Our emotions come out differently. You don’t know if men are hurting or not. They don’t talk. We want to talk more.”

“The issues for young adult women are not approached, there’s no service within the system especially for them.”

“PRACTICALLY EVERY WOMAN I MET [IN CUSTODY], HER CRIME WAS LINKED TO WHAT’S GOING ON WITH A MAN, BUT NO ONE TALKS ABOUT THAT.”



SPOTLIGHT ON ETHNIC MINORITIES

Young persons of an ethnic minority in custody face many difficulties that affect not only them, but their families and community too. More diverse than ever before, the United Kingdom is home to many ethnicities, religions and cultures.

Young adults who have been brought up with certain cultural roots can find it difficult to fit in with other prisoners. They are not only being removed from their family home, but the surrounding which they felt most comfortable in. Fitting in with members of other ethnicities can be challenging, and even more so in a setting such as prison. Language barriers could prevent clear communication between young people; potentially leading to negative consequences.

The family also become affected in this situation. Families in close-knit communities of a certain

ethnicity or culture often see such situations as shameful. This has devastating effects on the family of the young person where they are filled with guilt and shame. Unfortunately, it is therefore not uncommon for families to disown the young person. Consequently, the young person in custody could feel increasingly isolated at this vulnerable time.

We believe the criminal justice system is poorly equipped to cope with differences between ethnic minorities. The system is unable to provide sufficient support and tools to those who make up a significant proportion of young people in custody. Staff from different ethnic minorities are not employed in sufficient numbers to help these young people feel more at ease and less intimidated.

“YOUNG PEOPLE’S WORDS”

“OFFICERS HAD A LIMITED
RELATIONSHIP WITH US AND
SEEMED TO GET ON MORE
WITH PEOPLE OF THEIR OWN
BACKGROUND”

“I needed a Muslim cell mate because I would pray at certain times, but officers did not understand this and padded me up with anyone and they would want to watch TV when I wanted to pray - This would cause fights”

“THEY BANGED UP
PEOPLE WHO COULDN’T
SPEAK ENGLISH WITH
PEOPLE WHO COULD
ONLY SPEAK ENGLISH
AND THIS CAUSED BIG
PROBLEMS”

“I felt like I was
treated differently
being from an
ethnic minority”

- ✱ We want specialised care and support for young persons of ethnic minorities entering custody
- ✱ We want specialised support to be provided to the families of the young people entering custody
- ✱ We want recruitment of staff of ethnic minorities to allow young people to feel less intimidated
- ✱ We want information provided to those entering custody and the criminal justice system to be translated into appropriate languages to ensure clear communication
- ✱ We want staff to be trained to understand and deal with common problems faced by a young person in custody from an ethnic minority.



SPOTLIGHT ON YOUNG FATHERS

Being a young father in custody is hard, and has an impact on both us and our children. We worry that time apart from them will cause long-term damage to our relationships with them.

We do not think that the criminal justice system takes account of our roles as fathers. We do not feel we have enough opportunities to bond with our children and we miss the basic day-to-day activities and contact we would have with them otherwise.

- ✱ **We want courts to take account of fatherhood when we are sentenced, particularly when we play an active role in the child's life**
- ✱ **We want more family visiting opportunities, and for prison visits to be designed with the needs of young fathers in mind.**

“ YOUNG PEOPLE'S WORDS ”

“Her first steps, her first words – they have been taken away from me. I can never take that back...The last time my daughter was a baby, now she's switched on. It's the silly little things [I miss], like taking her to nursery.”

“MY DAUGHTER DON'T FEEL LIKE MY DAUGHTER. I AIN'T GOT THAT FATHER DAUGHTER RELATIONSHIP WITH HER.”

“Loads of men with children come to prison – why are they treated differently? Men can be maternal too, can't they?”

“KIDS NEED DADS AS MUCH AS THEY NEED MUMS.”

CONCLUDING THOUGHTS: A YOUNG ADULT SPECIFIC APPROACH

To break the cycle of offending, we want solutions to be based around us as individuals. We are still growing so we need different approaches to older adults, a different environment and more time and guidance given to us. Our needs are not the same as under-18s and we do not want to be treated like children.

We want to work with professionals who believe that anyone can turn their lives around, who understand that building relationships takes time, and who can use their discretion. We want professionals who understand young adulthood is a different stage of life and we value working with people who understand our life experiences.

We want more work and education inside prison, more practical skills and trades that can help us get work outside to set up our lives. We want more practical support, not just signposting, as working out how to use services is hard when we have never done it before. And we want help to develop interpersonal skills so we can learn how to interact with people and to repair relationships that might be damaged.

Being in the criminal justice system can damage us but with the right kind of help, an understanding of gradual change and the motivation to change, we can turn our lives around to build more positive futures.

About us

The T2A Alliance evidences and promotes distinct and effective approaches for young adults (18–24 year olds) throughout the criminal justice process. T2A is a coalition of 13 leading criminal justice, health and youth charities, convened by the Barrow Cadbury Trust and chaired by Joyce Moseley OBE. T2A Alliance has contributed to positive change in policy and practice at a central and local level, and its evidence has informed service redesign and delivery nationally and internationally.

The Howard League for Penal Reform is the oldest penal reform charity in the world. We campaign, lobby, publish research and through our legal team, represent children and young adults in custody. We work towards less crime, safer communities and fewer people in prison.

Advice line

The Howard League legal team runs a free, confidential legal service that can be accessed through our helpline. The number is free to call for young people, including those in prison.

Tel: 0808 801 0308

Monday-Friday 9am–5pm and Thursday 9am–7pm

If you cannot call when the lines are open, you can always leave a message: make sure that your name, prison and prison number are clearly stated. If you are a professional making a referral, please call our office on our main telephone number **020 7249 7373**.



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